

## Environmental Protection Agency

## § 59.104

underbody coatings, uniform finish blenders, and weld-through primers.

*Thinner* means any solvent used to reduce the viscosity or solids content of a coating.

*Three-stage topcoat* means a topcoat composed of a pigmented basecoat, a midcoat, and a transparent clearcoat.

*Topcoat* means any coating or series of coatings applied over a primer or an existing finish for the purpose of protection or beautification.

*Touch-up coating* means a coating applied by brush, air-brush, or nonrefillable aerosol can to cover minor surface damage.

*Two-stage topcoat* means a topcoat consisting of a pigmented basecoat and a transparent clearcoat.

*Uniform finish blender* means a coating designed to blend a repaired topcoat into an existing topcoat.

*United States* means the United States of America, including the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands.

*Volatile organic compounds* or *VOC* means any compound of carbon, other than those organic compounds that the Administrator has excluded in 40 CFR part 51, § 51.100 from this definition.

*VOC content* means the weight of VOC per volume of coating, calculated according to the procedures in § 59.104(a) of this subpart.

*Water hold-out coating* means a coating applied to the interior cavity areas of doors, quarter panels and rocker panels for the purpose of corrosion resistance to prolonged water exposure.

*Weld-through primer* means a primer that is applied to an area before welding is performed, and that provides corrosion resistance to the surface after welding has been performed.

### § 59.102 Standards.

(a) Except as provided in § 59.106 of this subpart, any coating resulting from the mixing instructions of a regulated entity must meet the VOC content limit given in table 1 of this subpart. VOC content is determined according to § 59.104(a).

(b) Different combinations or mixing ratios of coating components constitute different coatings. For example,

coating components may be mixed one way to make a primer, and mixed another way to make a primer sealer. Each of these coatings must meet its corresponding VOC content limit in table 1 of this subpart. If the same combination and mixing ratio of coating components is recommended by a regulated entity for use in more than one category in table 1 of this subpart, then the most restrictive VOC content limit shall apply.

### § 59.103 Container labeling requirements.

Each regulated entity subject to this subpart must clearly display on each automobile refinish coating or coating component container or package, the day, month, and year on which the product was manufactured, or a code indicating such date.

### § 59.104 Compliance provisions.

(a) For the purpose of determining compliance with the VOC content limits in § 59.102(a) of this subpart, each regulated entity shall determine the VOC content of a coating using the procedures described in paragraph (a)(1) or (a)(2) of this section, as appropriate.

(1) Determine the VOC content in grams of VOC per liter of coating prepared for application according to its mixing instructions, excluding the volume of any water or exempt compounds. VOC content shall be calculated using the following equation:

$$\text{VOC} = \frac{(W_v - W_w - W_{ec})}{(V - V_w - V_{ec})}$$

Where:

VOC content = grams of VOC per liter of coating;

$W_v$  = mass of total volatiles, in grams;

$W_w$  = mass of water, in grams;

$W_{ec}$  = mass of exempt compounds, in grams;

$V$  = volume of coating, in liters;

$V_w$  = volume of water, in liters; and

$V_{ec}$  = volume of exempt compounds, in liters.

(2) The VOC content of a multi-stage topcoat shall be calculated using the following equation:

$$\text{VOC}_{\text{multi}} = \frac{\text{VOC}_{\text{bc}} + \sum_{i=0}^M \text{VOC}_{\text{mci}} + 2 (\text{VOC}_{\text{cc}})}{M + 3}$$

Where:

VOC<sub>multi</sub> = VOC content of a multi-stage topcoat, in grams of VOC per liter of coating;

VOC<sub>bc</sub> = VOC content of the basecoat, as determined in paragraph (a)(1) or (f) of this section;

VOC<sub>mc1</sub> = VOC content of midcoat i, as determined in paragraph (a)(1) or (f) of this section;

VOC<sub>cc</sub> = VOC content of the clearcoat, as determined in paragraph (a)(1) or (f) of this section; and

M = Number of midcoats.

(b) To determine the composition of a coating in order to perform the calculations in paragraph (a) of this section, the reference method for VOC content is Method 24 of appendix A of 40 CFR part 60, except as provided in paragraph (f) of this section. To determine the VOC content of a coating, the regulated entity may use Method 24 of appendix A of 40 CFR part 60, an alternative method as provided in paragraph (f) of this section, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of a Method 24 test and any other means for determining VOC content, the Method 24 test results will govern. The Administrator may require the regulated to conduct a Method 24 analysis.

(c) If a regulated entity recommends that its coating component(s) be combined with coating components of another regulated entity, and if the coating resulting from such a combination does not comply with the VOC content limit in § 59.102 (a) of this subpart, then the former regulated entity is out of compliance, unless the entity submits Method 24 data to the Administrator demonstrating that its recommended combination of coating components meets the VOC content limit in § 59.102(a). If the latter regulated entity does not make the recommendation of such use of the coating components, then that entity is not out of compliance for purposes of that resulting coating.

(d) Pretreatment wash primers: Except as provided in paragraph (f) of this section, the acid weight percent of pretreatment wash primers must be determined using the American Society

for Testing and Materials Test Method D 1613-96 (incorporated by reference in § 59.110). If the pigment in a pretreatment wash primer prevents the use of this test method for determining the acid weight percent of the coating, then the test method shall be used for the nonpigmented component of the coating, and the acid weight percent shall be calculated based on the acid content of the nonpigmented component and the mixing ratio of the nonpigmented component to the remaining components recommended by the regulated entity.

(e) Low-gloss coatings: Except as provided in paragraph (f) of this section, the gloss reading of low-gloss coatings must be determined using the American Society for Testing and Materials Test Method D 523-89 (incorporated by reference in § 59.110).

(f) The Administrator may approve, on a case-by-case basis, a regulated entity's use of an alternative method in lieu of Method 24 for determining the VOC content of coatings if the alternative method is demonstrated to the Administrator's satisfaction to provide results that are acceptable for purposes of determining compliance with this subpart.

(g) The Administrator may determine a regulated entity's compliance with the provisions of this subpart based on information required by this subpart or any other information available to the Administrator.

[63 FR 48815, Sept. 11, 1998; 63 FR 64761, Nov. 23, 1998]

#### § 59.105 Reporting requirements.

(a) Each regulated entity must submit an initial report no later than January 11, 1999 or within 180 days of the date that the regulated entity first manufactures or imports automobile refinish coatings or coating components, whichever is later. The initial report must include the information in paragraphs (a)(1) through (a)(4) of this section.

(1) The name and mailing address of the regulated entity.

(2) An explanation of each date code, if such codes are used to represent the date of manufacture, as provided in § 59.103.